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Chairman: Mrs. ESPINOSA (Mexico)

CONTENTS

AGENDA ITEM 105: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued)

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AGENDA ITEM 105: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued) (A/51/12 and Add.1, A/51/206-S/1996/539, A/51/329, 341, 367 and 454)

1. Mr. KRLIU (The former Yugoslav Republic of Macedonia) said that, since 1992, more than 36,000 registered refugees from Slovenia, Croatia and Bosnia and Herzegovina had found a temporary home in his country. The actual number of refugees was around 60,000. They were all provided with food, shelter, health care and education and given complete freedom of movement. With the help of the international community, his country had been able to meet that tremendous challenge. The long process of repatriation had started with the signing of the Dayton Agreement and was still under way.

2. The situation in the Great Lakes region of Africa underscored the fact that the world could easily be faced with new conflicts and was a clear warning to the international community that a more innovative and comprehensive approach to the problem was needed. He welcomed the ideas on the development of early-warning systems and preventive diplomacy, and stressed the importance of eliminating discrimination in dealing with the parties concerned and of maintaining the unconditionality of the repatriation of refugees and displaced persons. His delegation also welcomed the efforts of the Office of the United Nations High Commissioner for Refugees (UNHCR) to reform its management.

3. Ms. ŠURAŇOVÁ (Czech Republic) expressed her country's great appreciation for the Office's efforts to deal with the problems of refugees, returnees and displaced persons. The international community needed to take concerted regional action based on close cooperation among the relevant agencies. Her Government stressed the importance of the voluntary repatriation and reintegration of refugees and also offered the possibility of integration in the Czech Republic, with the emphasis on family reunion.

4. In June 1996, her country had begun the voluntary repatriation of citizens of Bosnia and Herzegovina in cooperation with UNHCR and the Bosnian authorities. About half of the 400 persons who had wished to return had already been transported home. Returnees who were unable to settle in their country of origin could return to the Czech Republic within the first three months after repatriation. In addition to covering the costs of repatriation, her country also contributed to the Office's trust fund to provide shelter material in Bosnia and Herzegovina. The Czech Republic conducted repatriation in accordance with the relevant recommendations and principles of UNHCR and provided direct contributions to the organizations involved.

5. Her delegation appreciated the Office's pivotal role in coordinating the repatriation process and in all its humanitarian efforts. She emphasized the need to respect the basic instruments concerning refugees, and supported UNHCR in its endeavour to increase the number of States parties to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

6. As a result of recent changes in its legislation, refugees in the Czech Republic were treated as permanent residents for the purposes of social and health insurance and naturalization. Refugee status was accorded for an unlimited period; and five years of permanent residence commencing with the granting of refugee status was required for naturalization. The Government had also decided to extend yet again temporary protection, a humanitarian measure designed principally for Bosnians, until 31 December 1996. Draft legislation on the asylum procedure sought to ensure a fair and effective process that prevented abuse by economic migrants but afforded protection to those who needed it.

7. Mr. Myung Chul HAHN (Republic of Korea) stressed the need to find innovative ways to resolve long-standing refugee situations and prevent new refugee flows through a more concerted response by the international community. Post-conflict rehabilitation and development were essential to eliminate the root causes of refugee crises. The role of development organizations was fundamental and UNHCR was encouraged to further expand its cooperation with such organizations as the United Nations Development Programme (UNDP) and the World Bank. He appreciated the Office's increased cooperation with non-governmental organizations, which contributed substantially to refugee protection and assistance. Under Project Delphi, progress had been achieved in making UNHCR better equipped to tackle the myriad tasks ahead. His delegation supported the basic objectives of Delphi, and underscored the need for cost-effective financial management and streamlined procedures to avoid overlapping.

8. The question of refugees was inseparably linked to human rights concerns. It was important to ensure that UNHCR was able to protect and promote the human rights of refugees, especially women and children. He commended the High Commissioner for stressing the need to respect human rights during the post-conflict period and to incorporate peace-building into the overall framework of United Nations operations. His delegation particularly welcomed the signing of the Memorandum of Understanding between UNHCR and UNICEF to strengthen collaboration for the protection of refugee children.

9. Solutions ultimately depended upon political, military and economic factors beyond the control of humanitarian organizations. Consequently, there was a need for an integrated approach by the international community through enhanced coordination between UNHCR and its partners, sustained by international solidarity and burden-sharing. Effective measures to lessen the burden of developing countries affected by influxes of refugees should be further explored.

10. The Executive Committee of the High Commissioner's Programme should be made into a more open forum with rotating membership to promote broader participation by non-member States. Solving the refugee problem must be the task of all States, communities and individuals pursuing shared objectives. With regard to the future direction of preventive and preparedness strategies, the international community must share a common responsibility, and concerted international assistance must be further strengthened. Since its admission to the United Nations, the Republic of Korea had steadily increased its contributions to humanitarian relief assistance, in particular for the

protection of refugees, and would continue to strengthen its cooperation with UNHCR.

11. Mr. MOREIRA GARCIA (Brazil) said that his country had expanded its interpretation of the main international legal instruments for the protection and assistance of refugees to include all individuals fleeing violence within and between States. Seventy per cent of the more than 2,000 refugees currently in Brazil were victims of civil war. It was a fundamental human right that refugee status should be granted to those being persecuted, and he therefore urged all countries which had not yet done so to become parties to the 1951 Convention on the Status of Refugees and its 1967 Protocol, and to take into consideration relevant United Nations resolutions.

12. His delegation recognized the link between human rights violations and refugee movements or involuntary displacement. It therefore supported increased cooperation between UNHCR and the High Commissioner for Human Rights, and commended the efforts made to intensify inter-agency coordination. His delegation also supported the search by UNHCR for long-term solutions, which, together with the development of preventive programmes, formed the backbone of UNHCR strategy. Equal attention should, however, also be paid to the underlying political, social and economic factors influencing the response of States to refugee influxes and internal displacements.

13. As the refugee problem worsened in various parts of the world, the institutional and financial capacity of UNHCR to provide the humanitarian assistance required was constantly being put to the test. The international community should not fail to provide adequate resources to allow UNHCR to meet growing challenges and intervene in crisis situations. Better conditions were also needed to help integrate refugees in receiving countries.

14. He welcomed the fact that in 1995, more than 1 million refugees had returned to their countries of origin, but the deteriorating situation in the Great Lakes region of Africa was a source of concern.

15. His country had seen a substantial increase in the number of refugees on its territory, and was therefore updating its policy in line with its international responsibilities. Legislation was being introduced to regulate the situation of refugees, and it was proposed to create a national commission for refugees which would establish government policies on all matters relating to refugees in the country. UNHCR considered that initiative the most advanced legal proposal on the subject in Latin America. Cooperation between the Government and non-governmental organizations was important, and valuable work had been undertaken in the country by the International Confederation of Catholic Charities, with which UNHCR cooperated in programmes to integrate refugees into Brazilian society. The Government had guaranteed refugees enjoyment of their civil rights, and had provided them with entry visas, identity papers and work permits, in addition to their basic medical needs and social security benefits. Such measures, however, could not resolve all their problems, particularly since increasing numbers were concentrated in the two main urban centres, where competition for jobs was intense. Budget cuts by UNHCR made the situation worse.

16. With regard to the suggestion to extend the UNHCR mandate to include assistance to internally displaced persons, his Government was of the view that the matter should be studied with caution, in view of the lack of resources that had been hampering the ability of UNHCR to fulfil its mandate to assist refugees. It might therefore be preferable to strengthen the role of other agencies with more experience in that field and better access to autonomous funds, such as the International Committee of the Red Cross (ICRC). He believed that UNHCR should intervene to help internally displaced persons only in very exceptional circumstances.

17. Mr. KAMARA (Sierra Leone) said that his country had had a refugee problem since the outbreak of civil war in 1991, and was grateful for the provision by UNHCR of protection and assistance to returnees and internally displaced persons. Prevention was obviously the best solution. Human rights violations were a major factor in causing the flight of refugees, as well as an obstacle to their safe and voluntary return home. Respect for human rights, including minority rights in the country of origin, was therefore crucial for the solution as well as the prevention of refugee problems. Returnees in affected countries risked being harassed by uncontrollable armed groups and suffered from lack of assurance that they would be provided with the basic necessities of resettlement. Those problems could be addressed through measures taken by the international community in order to strengthen peace and security and facilitate the return and reintegration of refugees and combatants.

18. His country was still suffering the ravages of a senseless civil war, and nearly half of the population had been displaced. Sierra Leone also bore the additional burden of hosting refugees from Liberia, and urgently needed the cooperation of the international community in order to mobilize the resources necessary to implement programmes for the resettlement of returnees, refugees and displaced persons.

19. Relative peace had come to Sierra Leone since the cease-fire declared between the Government and the rebel group, Revolutionary United Front (RUF), but the continued support of the international community in the task of rehabilitation, reconstruction and resettlement was needed. However, many donors who had recently made pledges of assistance for post-conflict rehabilitation had made the formal signing of the peace accord with RUF a prerequisite for the release of funds. That would not assist efforts to sustain the survival of democratic governance. His delegation therefore appealed to the international community to rethink its strategies and allow aid money to be utilized for peace-building. If Sierra Leone was to continue to be regarded as a model of conflict resolution in Africa, it was imperative that the international community continued to play a catalytic role in its development.

20. Mr. BALL (New Zealand) said that the humanitarian crisis in eastern Zaire greatly concerned New Zealand. It deplored the massive displacement of refugees and attacks on camps, which had violated the sanctity of international protection; it was grotesque that relief infrastructure provided by the international community was being looted and destroyed. He expressed concern for the security of the staff of international humanitarian organizations in eastern Zaire, including UNHCR.

21. New Zealand would make an immediate emergency grant of NZ$ 200,000, in order to enable UNHCR and ICRC to re-establish relief operations as soon as the military situation permitted. His country recognized the refugee burden shouldered by neighbouring countries, and urged all parties in the region to take immediate steps to end the fighting and start political discussions, in order to find a lasting solution. He welcomed the Secretary-General's appointment of a special envoy for the Great Lakes region.

22. Despite the disturbing developments in Zaire, there had been encouraging achievements elsewhere, such as the completion of the Comprehensive Plan of Action for Indo-Chinese refugees. The challenge was to find durable solutions for the millions of others who relied on the international community for protection and sustenance.

23. With the advent of peace in the former Yugoslavia, the international community could turn its attention from immediate relief efforts to the task of rebuilding societies devastated by war. Only a continuing commitment would enable millions of refugees and displaced persons to return home and peace to be established. However, local communities and authorities had the responsibility to approach national reconstruction in a spirit of reconciliation.

24. His delegation had observed with interest the organizational changes currently being implemented by UNHCR, and hoped that Project Delphi would ensure that resources were deployed in the most cost-effective and responsive way. UNHCR was a benchmark by which the reform and modernization efforts of other United Nations agencies could be measured, and his delegation commended the management for their thorough approach to that task.

25. New Zealand remained committed to the principle of international burden sharing, and had demonstrated that commitment by more than doubling its core annual contribution to UNHCR over the past two years, and by making additional funds available for the areas of greatest need. It also accepted refugees for resettlement, and was willing to consider many cases rejected by others. Its support for demining programmes in several countries had helped facilitate the repatriation and rehabilitation of refugees.

26. With reference to the statement made by the High Commissioner regarding the need to ensure that measures to combat terrorism did not jeopardize the institution of asylum for persons in genuine need of protection, his delegation considered that the further measures being considered should explicitly state that they did not seek to undermine the 1951 Convention on the Status of Refugees.

27. Mrs. DURON DE GALVEZ (Honduras), speaking also on behalf of Costa Rica, El Salvador, Guatemala, Nicaragua and Panama, noted with satisfaction the report of the Secretary-General on assistance to unaccompanied refugee minors (A/51/329) and the Office's initiatives to assist and protect young girls who were the victims of exploitation and sexual violence. She stressed the importance of becoming a party to the relevant refugee instruments, particularly the Convention relating to the Status of Refugees and its 1967 Protocol. It was essential to uphold the principles of protection for refugees and the minimum treatment to be given to them in all circumstances. Lasting solutions should be

sought, particularly through voluntary repatriation and local integration. In order to eliminate forced migrations, the Governments of the Central American States in question were continuing to strive to promote peace, freedom, democracy and development in the region. Thanks to the work of UNHCR and international assistance, the objectives laid down by the International Conference on Central American Refugees had been achieved. UNDP, with the assistance of non-governmental organizations and friendly countries, was continuing to provide support to the region.

28. Guatemala was engaged in the voluntary repatriation of families that had sought refuge in or been displaced to other Central American countries. The Government had established a special commission which had enabled over 29,000 persons to return to Guatemala. The Government was also conducting intense negotiations to reach agreements in various areas in order to achieve lasting peace in the country. Honduras, in spite of its serious economic problems, provided protection and assistance to refugees and displaced persons from elsewhere in Central America and the Caribbean. Costa Rica, for its part, had been a country of asylum ever since independence in 1821.

29. Ms. TOMIČ (Slovenia) said her delegation supported the statement made by Ireland on behalf of the European Union. It also fully supported UNHCR and the concept of a threefold strategy of prevention, emergency assistance and solutions. The collaboration of different parts of the United Nations system was important in responding to crisis situations. For example, the promotion and protection of human rights in post-conflict peace-building was of paramount importance, and the cooperation of the United Nations human rights mechanisms with UNHCR was essential in operations such as the repatriation planning and post-conflict reconstruction in Bosnia and Herzegovina. Her delegation was therefore pleased to note the increasing involvement of UNHCR in the work of the human rights treaty bodies, and commended its efforts to reinforce its community-based approach to reintegration assistance in cooperation with other agencies, such as UNDP. Cooperation was important in bridging the gap between relief and development assistance, and her delegation believed that the existing resident coordinator system could be further utilized for that purpose.

30. The protection of vulnerable groups, such as refugee women and children, was of particular importance, and she commended UNHCR for its initiatives in those areas. As a refugee-receiving country, Slovenia had been cooperating with UNHCR in programmes such as those to assist refugee children. She was confident that the Memorandum of Understanding signed between UNICEF and UNHCR would extend the protection of refugee children.

31. Her country agreed that voluntary repatriation was the most durable solution, and had been pleased to note the successful reintegration of refugees in several regions. However, repatriation and reconciliation in Bosnia and Herzegovina faced serious obstacles. Full implementation of the Dayton Agreement was necessary for the return of refugees and displaced persons, as was economic reconstruction. Slovenia was therefore willing to play an active role in that country's reconstruction and rehabilitation through both material and non-material contributions.

32. Her delegation wished to express its appreciation to the United Nations and its agencies, particularly UNHCR and the Department of Humanitarian Affairs, for their support of the refugees in Slovenia over the past five years, and to pledge full support for the future work of UNHCR.

33. Archbishop MARTINO (Observer for the Holy See) said that the international community must take prompt action to prevent the escalation of conflicts, such as the current situation in the Great Lakes region of Africa, in order to avoid massive flows of refugees and the financial burden that ensued.

34. Governments agreed that voluntary repatriation constituted the best durable solution. While he supported that view, he had been concerned to hear of cases where refugees had been forced to return. Repatriation must be truly voluntary and certain preconditions must be fulfilled before it was considered as an option. Specifically, countries of origin must provide refugees with real guarantees of physical safety and freedom from harassment through such measures as the elimination of weapons of war, the restoration of the rule of law, and the promotion of a climate of tolerance between different ethnic and cultural groups. In addition, there must be real possibilities of human and economic development. The financial and moral support of donor countries would be required in order to achieve those goals. Where voluntary repatriation was not possible, refugees must be offered the opportunity of integration in neighbouring countries or resettlement elsewhere. Currently, too few States offered that type of hospitality.

35. He was deeply concerned at the reduction in the generosity of donor countries and at the possible impact of the financial crisis facing the United Nations on its humanitarian programmes. When developed countries considered what level of support they could offer, they must think first not of the need to protect their own prosperity, but of the more urgent needs of those forced to flee their countries.

36. Mr. ZMEEVSKY (Russian Federation) said that his Government was grateful for the cooperation of UNHCR in addressing the refugee problem in the Russian Federation. The recent visit by the High Commissioner would further strengthen that link. The success of the recent Regional Conference for the countries of the Commonwealth of Independent States and relevant neighbouring States (A/51/341, annex), convened in pursuance of General Assembly resolution 50/151, was due in great part to the leadership of UNHCR and the active role played by the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE). Participants had analysed all aspects of migratory flows in the Commonwealth States and had formulated practical measures aimed at resolving existing problems and preventing new flows. They had concluded that controlling migratory movement was a crucial factor in international security.

37. While he recognized that the chief responsibility for implementing the Programme of Action adopted at the Conference lay with the member States of the Commonwealth, he urged the international community to lend its assistance. His delegation would shortly introduce a draft resolution on the matter, affording the Committee an opportunity to demonstrate its support. He welcomed the joint

operational strategy for the region developed by UNHCR and IOM and hoped that donor countries would heed their appeal for contributions.

38. The member States of the Commonwealth should build upon the dynamic created by the Conference. The prevention of enforced migration and respect for human rights went hand in hand. Since no State wished to be confronted by a wave of refugees, he urged all the Governments of the region to abide by the principles contained in the Programme of Action and to build a climate of tolerance in their countries.

39. Non-governmental organizations, both at the national and international levels, had an important contribution to make. Given their direct contacts with refugees, they were best able to ensure that assistance reached those in greatest need. UNHCR continued to play a leading role among the humanitarian organizations of the United Nations system. The Russian Federation would lend it every assistance with the fulfilment of the vital tasks entrusted to it.

40. Mr. KACHURENKO (Ukraine) said that the international community must concentrate on finding solutions to the armed conflicts and ethnic tensions which were the root cause of enforced migration, in the hope of preventing crisis situations before they arose. The safeguarding of human rights, particularly the rights of national, ethnic, religious and linguistic minorities, would be the key to that process. Since almost no country was ethnically homogeneous, the protection of minorities was an issue of global significance.

41. In the Commonwealth of Independent States, millions of people had found themselves living as members of minority groups outside their countries of origin following the dissolution of the former Soviet Union. He welcomed the recognition by the recent Regional Conference (A/51/341, annex) of the difficulties faced by minorities and of the acuteness and complexity of the refugee problem in the Commonwealth and its impact on international security. The success of the follow-up to the Conference would depend on the commitment of the participants and their willingness to engage in bilateral and multilateral cooperation.

42. Ukraine's comparative political and economic stability had made it a safe haven for those fleeing conflicts in the so-called "hot spots" of the Commonwealth. In addition, Ukraine, with its vulnerable northern and eastern borders, had become a transit country for illegal immigrants bound for Western Europe. While his Government was concerned at the problem of illegal immigration and at the threat it constituted to public order and security, Ukraine lacked the human and financial resources to tackle the problem effectively. Various laws and measures had been adopted, but greater effort was needed to ensure their implementation. Cooperation with neighbouring countries, under United Nations auspices, would play a crucial role in checking illegal immigration.

43. Mr. WILLE (Norway) said that during the first half of the current decade UNHCR had been confronted with unprecedented challenges, among them the current crisis in the Great Lakes region of Africa. His delegation supported the High Commissioner's call for an immediate ceasefire to allow aid agencies to gain

access to the refugees and to protect the lives of humanitarian workers. Ultimately, the countries of the region must reach a settlement enabling the refugees to return to their homes with dignity.

44. Recent developments had placed the institution of asylum under increasing strain. There was growing concern at the financial cost of providing refugees with protection and assistance, while in some regions large-scale movements of refugees constituted a threat to security. Against that background, there was a clear need to promote solution-oriented and preventive approaches. It was most encouraging that, during the past year, repatriation to the country of origin had become a realistic option for many of the world's refugees. In Mozambique, for example, the voluntary repatriation of some 1.7 million refugees had recently been completed. His Government supported the view expressed in the High Commissioner's report (A/51/12) that voluntary repatriation represented the best durable solution. It was the responsibility of countries of origin to promote conditions conducive to the return of their citizens.

45. When repatriation proved impossible, local or regional integration was the most desirable solution, in particular when strong ethnic and cultural ties existed between refugees and their host country. Receiving countries must have the support of the international community to deal with the resulting financial burden and the impact on infrastructure and environment. Resettlement should remain a last resort.

46. The protection of refugees remained the central aim of all UNHCR activities. In order to fulfil its mandate, UNHCR depended upon the cooperation of the international community. It was vital that all States respected the principle of non-refoulement. Norway, for its part, would continue to assist UNHCR in every way possible.

The meeting rose at 11.40 a.m.